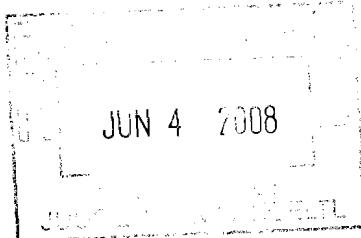


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June 4, 2008

BY FACSIMILE (212) 805-7912

Honorable John G. Koeltl
 United States District Judge
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street, Room 1030
 New York, New York 10007-1312

Re: George Raikos v. JP Morgan Chase & Co.
Case No. 08-CV-1274

Dear Judge Koeltl:

The parties in the above-referenced matter respectfully request that the Court permit defendant JPMorgan Chase & Co. ("Defendant") to withdraw its currently pending motion to dismiss without prejudice.

On April 9, 2008, Your Honor signed the parties' proposed Stipulation and Order Extending Time To Respond To Complaint, which provided that Defendant was required to answer, move, or otherwise respond to plaintiff George Raikos's ("Plaintiff") Complaint by May 22, 2008. As Your Honor will recall, at the parties' initial court conference on April 14, 2008, the parties advised the Court that they intended to engage in negotiations for a possible early resolution of this case. However, in an abundance of caution, Defendant responded to the Complaint on May 22, 2008, by filing a motion to dismiss. The parties just received the Court's June 3, 2008 order providing for a briefing schedule for this motion.

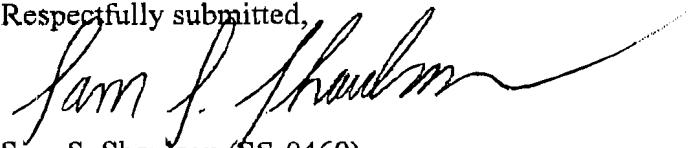
In order to allow the parties to continue their discussions and focus their efforts on a possible early resolution of this case, and in the interests of judicial economy, the parties hereby jointly request that: (1) Defendant's motion to dismiss be withdrawn without prejudice, with a right to reinstate the motion in the event negotiations for an early resolution prove to be unsuccessful; (2) the Court's June 3, 2008 briefing schedule order be withdrawn as a result; and (3) the parties provide a status report to the Court within 60 days.

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Honorable John G. Koeltl
June 4, 2008
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If the parties' proposal meets with Your Honor's approval, a "So Ordered" line is provided below for the Court's convenience. Thank you in advance for your consideration of this request.

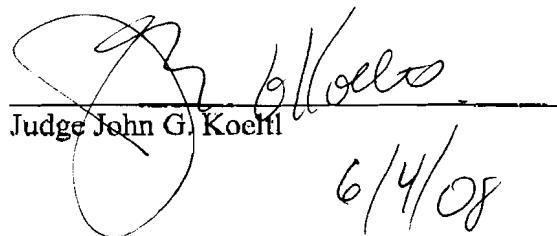
Respectfully submitted,



Sam S. Shaulson (SS-0460)

cc: Adam T. Klein, Esq. (via facsimile and first class mail)

SO ORDERED:



Judge John G. Koeltl

6/4/08